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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of our fathers and mothers, Your glory, majesty, and power sustain us. Lord, we ponder the graciousness of Your providence that lifts our hearts and gives us hope.

Keep our lawmakers true to You, obeying You faithfully and trusting Your wisdom. Lord, provide them with wisdom to cultivate such reverence for You that they will stand for right though the heavens fall. When darkness overtakes them, be for them a shining light. May they face their foes triumphantly, knowing that with You nothing is impossible. May they labor with such integrity that generations to come will celebrate their faithfulness.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. BLUNT). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

BANKRUPTCY JUDGESHIP ACT OF 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 2266, which the clerk will report.

The legislative clerk read as follows:

House message to accompany H.R. 2266, a bill to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell amendment No. 1568, to change the enactment date.

McConnell amendment No. 1569 (to amendment No. 1568), of a perfecting nature.

McConnell motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, McConnell amendment No. 1570, to change the enactment date.

McConnell amendment No. 1571 (to the instructions) amendment No. 1570), of a perfecting nature.

McConnell amendment No. 1572 (to amendment No. 1571), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided between the two leaders or their designees.

The Senator from Vermont.

Mr. LEAHY. Mr. President, let me just speak for a few minutes on the emergency supplemental appropriations for disasters.

No one in this Chamber is immune from disaster. Six years ago, I remember, in Vermont, Marcelle and I watched as communities around Vermont felt the devastating impact of Tropical Storm Irene. That storm washed away entire communities in our State, tearing down homes, local landmarks, and bridges alike. I watched the devastation from a helicopter with the Governor and the head of our National Guard the day after the

storm hit. I saw bridges washed away. The only way we could get into the towns was by helicopter because all of the roads were gone that led into them. I saw homes that had been on the north side of a river that were now upside down and destroyed on the south side of the river.

Do you know the one thing that occurred to me as I traveled around the State of Vermont? It is that I had heard from my fellow Senators, both Republicans and Democrats, saying that they would help us rebuild. I had heard the same thing from the President of the United States. They stood by Vermont's side to help us rebuild—again, Republicans and Democrats alike—because that is who we are as Americans. We lift each other up in times of disaster. We are one country.

Today, in California and across the West, families are returning to the charred ruins of their homes—those who were able to get out alive. In Florida and Texas, communities are trying to put their lives back together after Hurricanes Harvey and Irma—again, those who were able to get out alive. In Puerto Rico, hundreds of thousands are still without potable water, electricity, cell service, or adequate medical supplies following Hurricane Maria. The Virgin Islands are also facing devastation that I can never remember. Millions of Americans all over the country, as well as the Americans in Puerto Rico and the Americans in the Virgin Islands, need us to work together to help lift them up, just as we have seen in past disasters. This is not a Republican or a Democratic issue; this is an American issue. This is who we are as a country. We hold together.

I have been privileged to serve here since the time of President Ford. In times of disaster, I have seen every single President, Republican and Democrat, work to help Americans and do it out of concern for Americans, not for themselves. That is why it is so disappointing that President Trump

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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seems more concerned with claiming credit for a job well done than the actual situation on the ground deserves, particularly in Puerto Rico. President Trump has given himself a 10 out of 10 as though this were a game show for the administration's response to the devastating hurricane, but let's look at some numbers that really matter for the people who have lost everything.

It has been 48 days since Hurricane Irma made landfall in Puerto Rico and 34 days since Hurricane Maria tore through the island. These storms wreaked havoc on those who live there. They destroyed houses and killed at least 49 people. Yet, 48 days later, nearly 80 percent of the island is still without power, and 30 percent of the population is without clean drinking water—some having to resort to drinking contaminated water. Roads are impassable. Bridges are down. The few hospitals that are operating are operating on generators.

Frankly, the administration was slow to respond to the disaster. So to claim that it gets a 10 out of 10 for its response is to ignore the facts, especially the facts that the people who have been hit know so well. As I said before, this is not a reality TV show. It is not where the participant with the highest score advances to the next round. This is not fiction. These are people's lives—real people. They are people's homes. This is the hard part of governing. This is where we roll up our sleeves and dig in for the long haul. We stop patting ourselves on the back. Instead, we use that hand to give a hand to the people who are hurting.

Today we are going to advance a disaster package that contains \$36.5 billion in additional emergency relief. It includes \$18.7 billion for the Federal Emergency Management Agency, or FEMA, Disaster Relief Fund, \$16 billion for the National Flood Insurance Program debt forgiveness, \$1.2 billion for nutrition assistance, and \$576.5 million to address these devastating wildfires in the western part of the United States.

As vice chairman of the Appropriations Committee, I support this bill, and I urge my colleagues on both sides of the aisle to do the same. If we do not act, the Disaster Relief Fund and the Flood Insurance Program will run out of resources in a matter of days. This money, if we pass it, will help FEMA, the Department of Defense, the Army Corps of Engineers, and other agencies to continue their work in all of the devastated communities and to start catching up with the work that needs to be done and to help families begin to rebuild their homes and their lives—those who did not die in the disaster. This is just the next step. This is a multistep process. This is the next step on the road to recovery.

Last week, I met with Governor Ricardo Rossello, of Puerto Rico, and his staff. I have been to Puerto Rico many times, in happier times, but here he detailed the unique challenges that face

Puerto Rico. He was telling us what is happening to our fellow Americans. The electric grid was almost completely destroyed. Its infrastructure, itself, was demolished. Houses were flattened. At the same time, Puerto Rico faces a fiscal situation that will make it nearly impossible for it to provide the Federal match that is required for most disaster assistance programs. It faces a Medicaid funding crisis that may leave nearly 1 million people without healthcare in just a matter of months, assuming that we restore their healthcare.

This tells us that our response cannot be business as usual. We need to tailor disaster assistance to meet Puerto Rico's unique challenges. We may need to consider legislation to address its unique needs. Most importantly, we need to think long term. To simply replace and repair what was destroyed would be shortsighted. We have to help our fellow Americans who are in Puerto Rico to recover, to rebuild, and to be more resilient and better prepared. We should invest in the 3.4 million U.S. citizens in Puerto Rico and invest in their infrastructure so that the next disaster is not a humanitarian issue and crisis.

Some like to say that the situation is unique in Puerto Rico. It is not. We have to acknowledge that historicized storms are now annual occurrences, and we have to respond accordingly. Even with the help from our own citizens and from the U.S. Government, we are just now fully rebuilding in Vermont, and we were not hit as badly as these other places were. Across the country—from wildfires in California to the flood damage in Florida, Texas, the U.S. Virgin Islands, as well as what I said about Puerto Rico—we can invest in technology, and we can invest in conservation and infrastructure. That would mitigate further damage.

Do you know what? It would also make these communities more resilient because we cannot speak about "once in 100 years" storms. Sometimes, as we have seen this year, they have been "once in 2 months" or "once in 3 weeks" storms. This requires a commitment from the U.S. Government. It is not measured by days or weeks or months but in years—a commitment that does not waver, a commitment that does not depend on whether you live in Texas or Florida or Puerto Rico or the Virgin Islands.

Today, I urge all Senators to support this emergency supplemental bill that will provide much needed assistance for disaster relief across the country, but it is still just the next step on the path to recovery. The Trump administration is committed to putting forward a third, more comprehensive disaster package in the coming weeks. As vice chairman of the Senate Appropriations Committee, I intend to hold the administration to that commitment.

In conclusion, even in the years since Irene, this Vermonter still takes comfort in the number of Republican and

Democratic Senators who called me during that storm and pledged support and, along with the pledge, came through with the support.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

THE BUDGET AND TAX REFORM

Mr. McCONNELL. Mr. President, last week, the Senate took an important step for the fiscal and economic future of our country with passage of the budget for fiscal year 2018.

The comprehensive, responsible budget we passed marks out a clear vision for the future. It will put the Federal Government on a path to balance, and it sets out a new course after the long years of the Obama economy, when paychecks stagnated, steady work became harder to find, and retirement for many slipped further away. The budget we passed isn't just about getting our fiscal house in order—though it is certainly about that—it is also about getting our economy going again and growing again.

Perhaps the most important way it does so is by authorizing legislative tools to advance tax reform, and passing tax reform is the most important thing we can do today to get our economy reaching for its true potential.

Tax reform is all about helping the middle class succeed. It is about making it easier to create jobs in America and keep them right here. To summarize the effort in one phrase, it is this: Tax reform is about taking more money out of Washington's pocket and putting more in yours—more for workers, more for small businesses, and more for the middle class. After all, as the President wrote over the weekend, "we are not talking about the government's money—we are talking about your money, your hard work."

If you look back a few months, many doubted our ability to get a budget done or to advance tax reform. They didn't see the path forward. Those skeptics underestimated our resolve. The Senate has delivered on the budget, and we will soon have the tools to deliver on tax reform.

We now look forward to our House colleagues' continued consideration and passage of the budget. Once they do so, we can move forward with tax reform for American families.

For Americans who have suffered through years of uncertainty—everything from a recession to outsourcing to unemployment—we are ready to deliver for you. For those who watched opportunity recede while the personal wealth of coastal elites grew beyond comprehension, help is on the way. We want to put more money in your pocket, we want to make retirement a reality for you, we want to get this economy moving the way it should, and tax reform is the key to helping us get there.

I would like once again to thank Chairman ENZI and the members of the Budget Committee for their important work to get this budget resolution passed.

I also would like to thank the cloak-room staff, the Parliamentarians, the clerks, the pages, and the officers of the U.S. Capitol Police who worked into the evening to make sure, as they always do, that the Senate runs smoothly.

Thanks also to Chairman HATCH and the members of the Finance Committee. We now look forward to their continued good work on development of the kind of tax relief that will get our economy truly moving again.

Mr. President, on another matter, the Senate remains committed to doing its part to support the ongoing hurricane relief efforts, and, to that end, today we will take a vote to advance the administration's most recent supplemental funding request. These resources will ensure that FEMA and the rest of the administration have the ability to continue their crucial support to help those impacted by devastating storms.

Like many colleagues, I have been engaged on this issue from the very start. Through several meetings with leaders from Puerto Rico and the U.S. Virgin Islands, I have had the opportunity to hear firsthand how the government can support their relief efforts. I met with Puerto Rico's Governor last week to get another update on the funding request and to hear about the continuing recovery.

In addition, I have continued working with the administration as it responds to these storms. For instance, after the devastation of Hurricane Harvey, I met with the Department of Homeland Security's Acting Secretary to learn more about what would be needed. I also met with President Trump's eminently qualified nominee to lead that Department.

The House of Representatives overwhelmingly passed a supplemental funding request with strong bipartisan support, and now it is our turn to act. As we all know, the administration will continue to actively review hurricane relief and recovery needs. As it does, we can expect the transmittal of additional supplemental requests for our consideration in the near future.

The victims of these hurricanes continue to count on our support, and I look forward to the Senate continuing to do its part to help.

The PRESIDING OFFICER. The Senator from Vermont.

NOMINATIONS

Mr. LEAHY. Mr. President, I just want to address very briefly one other issue that surfaced last week.

Press reports indicate there are multiple nominees of President Trump awaiting Senate confirmation, but even though they haven't been confirmed—there has not been a vote maybe even in committee, I understand; certainly they have not been confirmed by the Senate. Yet they are engaged in the very duties of the positions for which they have been nominated. That includes nominees showing up to work, even though they are not

yet confirmed. It means they attend White House meetings, even though they are not yet confirmed. They show up for photo ops, even though they are not confirmed. This includes officials with at least three different agencies.

If accurate, this is nothing but an end run around our constitutional system. It directly flouts the Senate's constitutional role to check and balance the enormous power wielded by the executive branch. It is our obligation to advise and ultimately consent, vote up or down, the appointment of high-level agency officials. Their decisions impact millions of Americans. I hope that all of us—both Democrats and Republicans—will speak up and defend the prerogatives of the Senate if the Trump administration continues to insist it is above the law.

I have been here a half dozen times when Democrats were in the majority and a half dozen times when Republicans were in the majority. We have always insisted that these kinds of nominees await a vote first. Back in my time during the Ford administration, the Carter administration, the Reagan administration, the Bush administration—the first Bush administration—the Clinton administration, the next Bush administration, the Obama administration, we actually followed the law and the Constitution. It was something that both Republican leaders and Democrat leaders insisted on, and I agreed with it. Although I may have hated to wait sometimes, we insisted on it. So I raise that point.

It raises a real question. I am told that it may be a violation of the law. It certainly raises a question if they make decisions based on their responsibilities in a position that requires confirmation and they haven't been confirmed. We may be facing lawsuits—taxpayers paying to defend lawsuits—when all they have to do is wait a few days.

Republicans are in charge of the Senate. They can bring up these nominees. Bring them up and vote on them, but don't just pretend the Senate is not here. Let's not pretend the advice and consent part of the Constitution doesn't exist.

Let's actually obey the law and the Constitution. It can be refreshing to do things the way the law and the Constitution requires. In the long run, the country will be better off.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

Mr. SCHUMER. Thank you, Mr. President.

HEALTHCARE

Mr. President, first, on the issue of healthcare, since I last addressed this Chamber, the bipartisan agreement reached by Senators ALEXANDER and MURRAY has amassed enough cosponsors to guarantee its passage. It now has 12 Republican cosponsors and 12 Democratic cosponsors. That is as bipartisan as it gets. I believe all 48 Members of my caucus will support the agreement, which means it has the necessary 60 votes. Even Leader MCCONNELL has made it clear that he will put the Alexander-Murray bill on the floor as soon as President Trump supports it.

Let me make a direct appeal to the President.

Mr. President, come out and support the Alexander-Murray bill. You called it "a very good solution" already. Announce that you will support it, and it will pass through the Senate soon after.

The President's only stated concern was that the Alexander-Murray bill "bails out insurance companies." I can assure the President that Senators ALEXANDER and MURRAY took great pains to make sure the insurance companies would not get one extra penny from this deal. I have read the language. I have worked with them. It is good. It is strong. They have included provisions in the bill to prevent insurance companies from double dipping on the cost-sharing program and ensure that the money goes precisely where it is intended: to keep premiums and other out-of-pocket costs down for low-income Americans.

If the President wants even greater assurances, we can work to move back the start of enrollment 1 month. He may be able to do that administratively, but if not, that is something both Senator ALEXANDER and Senator MURRAY wanted to do, which would ensure that there would be new applications, and the rates would be looked at as if cost sharing were happening, but the White House blocked it. If the White House and the President want to make it even stronger—I think it is strong enough already—then we can do that. From what I understand, the President might be able to do that administratively.

This idea that the President isn't supporting this because he doesn't want the insurance companies to make money on this—well, it is wrong. There is some other reason he doesn't want it done. Maybe he doesn't want a bipartisan bill. Maybe it is because he wasn't involved. Maybe it is because on issue after issue the hard-right Freedom Caucus people say don't do it, and he is afraid, because he is not showing much leadership when they stand up to him.

The only reason the President shouldn't support this bill is that he wants to continue intentionally hurting Americans. He has talked about that. He almost seems gleeful: ObamaCare will fail—even though he is trying to make it fail.

The President should know that premiums have shot up 30 percent in Pennsylvania because of the President's decision to end cost sharing. Premiums for silver plans will rise 20 to 25 percent if cost sharing is not restored. It is time for the President to stop the sabotage. He created the problem by for the first time not renewing cost-sharing payments. Now we have a solution that will renew them, but Democrats will have to give. Copper plans have never been our favorite. He should go along with the good compromise.

The President has told me repeatedly that he wants to work in a bipartisan way. He told me that he wants to work in a bipartisan way on healthcare. Well, on this one, I am from Missouri. Shows us. Show me.

It is time, Mr. President, to turn the page on healthcare and pass the Alexander-Murray bill. We have other pressing healthcare issues to grapple with. For the first time in history, again due to lack of leadership from that White House, the authorization for the Children's Health Insurance Program has expired. That must be reauthorized, too, and soon. Kids across America are depending on it.

President Trump, please stop the games. Stop the zigging and zagging. You are for it one day and against it the next. Stop coming up with fake excuses. Declare your support for this bill so we can move forward in a bipartisan way to improve our Nation's healthcare.

THE BUDGET AND TAX REFORM

Now, Mr. President, on taxes, last week the Republican majority jammed through one of the worst budgets in history. That is not hyperbole; this is one of the worst budgets in history. They should hang their heads in shame. It increases the deficit by \$1.5 trillion, slashes Medicare and Medicaid by \$1.5 trillion, and sets up the same partisan process the Republicans used for healthcare.

Now it goes to the House for their approval, where many conservative House Republicans will have to rationalize voting for a bill that dramatically increases deficits. For many in the conservative wing of the House Republican caucus, the debt and deficit have been their No. 1 focus in Congress, their *raison d'être*. Many campaigned on the singular promise—made with almost religious fervor—to lower our Nation's debt and deficit. They rhapsodize fiscal responsibility. They hold themselves up as the guardian of preventing the debt from being passed on to our grandchildren. They evangelize constitutional amendments requiring a balanced budget. They were willing to risk default on our Nation's credit for a spurious talking point.

The budget resolution will be a true test of the principles the Freedom Caucus and the hard right in the House have espoused about the evils of deficits for the better part of the last decade, because those same Members of

the Freedom Caucus must now vote to approve a budget that increases the deficit by \$1.5 trillion. The House bill didn't do that. The Senate bill clearly does. Yet, so far, we haven't heard a peep from the Freedom Caucus. The most scolding deficit hawks have morphed into deficit doves, eschewing principle for political expediency.

With respect to the deficit, any economist will tell you that a dollar less in revenue due to a tax cut is the same as a dollar less in spending. Yet the Freedom Caucus and deficit hawks only harp on the deficit when it is about spending cuts: Get rid of Medicare. Get rid of Medicaid. Slash them—programs every bit as popular and as important as any.

As Representative WALKER, a conservative of the House, lamented, "[The deficit] is a great talking point when you have an administration that's Democratic-led. It's a little different now that Republicans have both houses and the administration." Really? So you are a deficit hawk only when it is politically expedient, Representative WALKER?

Well, the Freedom Caucus still has a chance to change the course of their budget when we vote this week. When the Freedom Caucus came out against the Republican healthcare bill, the Republican majority was forced to make concessions to them. If they were real deficit hawks, honest deficit hawks, consistent deficit hawks, nonpolitical deficit hawks, they would do the same thing here.

Let's see how Representative WALKER and his fellow Members of the House Freedom Caucus vote on a GOP budget to increase the deficit by \$1.5 trillion.

Another point on the GOP tax plan. The Republicans are so wedded to their desire to give a massive tax break to big corporations and the superrich—which will blow up the deficit even in their fake math models—that they are searching for new ways to sock it to the middle class to make up the difference.

First, Republicans debated eliminating the mortgage deduction, then they included the provision to eliminate State and local deductibility, and recently there have been reports that some Republicans want to cap Americans' pretax contributions to their 401(k)s. That is one of the few provisions we have to encourage middle-class families to start saving for an early retirement. President Trump tweeted this morning that we are not going down that road. The fact that Republicans were even considering raiding American's retirement savings to pay for giant tax cuts for corporations shows just how backward their plan is.

The Tax Policy Center estimated that while the wealthiest 1 percent of America would reap 80 percent of the benefits under the GOP plan, it would also raise taxes on nearly a third of middle-class workers. That statistic reveals the rotten core at the center of

this tax plan: The Republicans are so eager to give tax cuts to the rich, they are willing to explore many different ways of raising taxes on the middle class to pay for them. Each time, they bring up different methods—mortgage interest deductions, State and local deductibility, capping pretax 401(k)s—and then back off when they see the political and popular cost to each proposal. That shows you the dilemma they are in.

The fact is, there is no way the Republicans can avoid raising taxes on a good number of middle-class families if they are going to cling to such massive tax cuts for the rich and powerful and still make the numbers work, even with fake math.

Instead of capping middle-class deductions or pilfering retirement savings, how about Republicans drop their proposal to repeal the estate tax? Repealing the estate tax would cost the government hundreds of billions. Why are Republicans looking at middle-class deductions instead of merely scrapping the estate tax repeal, which goes only to estates of over \$5 million—only to estates over \$5 million. The number who benefit is tiny. It is in the thousands. Their estates get huge, huge benefits. Get rid of that instead of hurting the middle class. The logic is confounding, and our Republican colleagues will not even talk about it.

This plan is so rotten at its core that it has our Republican colleagues turning themselves into pretzels and jumping through hoops, and they can't really say what they believe—trickle down works. The only rationale for this entire plan is that if you give tax breaks to the wealthy and the big corporations, there will be a lot of job growth. It didn't happen when George Bush's tax cuts occurred. It didn't happen when Kansas dramatically cut its taxes. The Koch brothers' center, Kansas—they did just what the Koch brothers wanted. It was a disaster. Growth was much less than the national average even though the taxes were slashed. Although they don't state it, it is contrary to what our Republican colleagues believe.

I respect the Republican Member who comes up and says: Trickle down works; that is why we are doing it. Tax cuts for the very wealthy is what would fuel the economy.

No one else believes it anymore. History disproves it. It is fake. It is a fig leaf so that they don't have to admit what they want to do—give huge tax cuts to the wealthiest of their contributors, the people who have sort of set up the sinew of this Republican Party with their think tanks and op-eds and so many other things, the Koch brothers network.

The American people should know that the money to pay for that giant tax cut for the rich is coming from somewhere, and it is likely to be coming from their pocketbooks.

STEEL AND ALUMINUM IMPORTS
INVESTIGATIONS

Finally, one final topic: steel and aluminum. Recently and shockingly, Commerce Secretary Ross has said he is waiting for the Republican tax plan before completing critical investigations into how steel and aluminum imports are impacting the capacity of steel and aluminum U.S. producers to supply our defense needs. I am not sure why the Republican tax plan has anything to do with this national security investigation, which could finally lead to some relief from the predatory trade practices from China and other countries. The two are entirely unrelated.

Secretary Ross's comments smell like an excuse for further delays—and a bad one at that. I would like to see him explain his decision to the thousands of steelworkers whose jobs are on the line because their companies aren't competing on a level playing field because China repeatedly subsidizes, doesn't play by the rules, and cheats.

It is another classic example of the Trump administration promising one thing and doing another. President Trump has promised many times to crack down on China, and still, 10 months into his administration, his Commerce Secretary is once again needlessly delaying a preliminary step in that effort.

I have known him for 30 years. He is a New Yorker like I am. Every time I see Secretary Ross, I say to him: When are we going to do something on China?

Oh, we are going to do something tough.

Each time, there is a different excuse. This should have happened in the first 2 months of the administration. It hasn't.

Because of the Republican inaction, because of the President's unfulfilled and rapidly becoming broken promise on being tough with China, Senate Democrats will be sending a letter to President Trump and Commerce Secretary Wilbur Ross demanding that the administration keep its promise to crack down on China's unfair and predatory trade practices. We are asking that they continue these investigations and expeditiously complete them. These trade investigations have nothing to do with tax reform, and there is no need to delay them.

One more thing on China. Today I read that Tesla—our great car manufacturing company—will be relocating to China.

When you want to sell cars and many other advanced products in China, you have to do one of two things: set up a joint ownership company which lets them steal our intellectual property or face huge tariffs. That is based on the fact that the WTO was poorly negotiated and China was regarded as a developing country. That was the fault of President Bush and President Obama; neither did enough to stop China.

Based on his campaign rhetoric, one would think President Trump would be

tougher as China steals our family jewels. It is no longer clothing and furniture; it is our best industries. They steal our intellectual property by these joint ventures. Sometimes they do it by cyber theft—a lot of times they do it by cyber theft—and it is hurting the good-paying jobs that might be available to our children and grandchildren. Based on campaign rhetoric, one would think President Trump would be tougher on China, but so far it has been a lot of talk and not very much action, and the delay in these investigations is another example.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 117, Scott Palk.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Scott L. Palk, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

CLOTURE MOTION

Mr. McCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Scott L. Palk, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

Mitch McConnell, Orrin G. Hatch, John Cornyn, Chuck Grassley, Thom Tillis, Pat Roberts, John Barrasso, Johnny Isakson, Roger F. Wicker, John Thune, Marco Rubio, James Lankford, Richard Burr, Steve Daines, Mike Crapo, John Boozman, James M. Inhofe.

LEGISLATIVE SESSION

Mr. McCONNELL. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 179, Trevor McFadden.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Trevor N. McFadden, of Virginia, to be United States District Judge for the District of Columbia.

CLOTURE MOTION

Mr. McCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Trevor N. McFadden, of Virginia, to be United States District Judge for the District of Columbia.

Lamar Alexander, Susan M. Collins, John Boozman, Chuck Grassley, Orrin G. Hatch, Steve Daines, Dean Heller, Bill Cassidy, Cory Gardner, Michael B. Enzi, Thom Tillis, John Thune, John Kennedy, John Cornyn, David Perdue, Joni Ernst, Mitch McConnell.

Mr. McCONNELL. Madam President, I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

BANKRUPTCY JUDGESHIP ACT OF
2017—Continued

Mr. McCONNELL. Madam President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion on the House message to accompany H.R. 2266 be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida.

Mr. NELSON. Madam President, to accommodate the majority leader, I ask unanimous consent—I understand that he will object, and I will explain it afterward, but it involves what you see here in the aftermath of the hurricane, all of this citrus fruit on the ground—